REMARKS/ARGUMENTS

Claims 1, 2, 15-23, 33, 34, 50, 51, 106, 109, and 112 are currently pending in this application.

Requirement for Restriction

The Office Action has required restriction from among the following Groups under 35 U.S.C. §§121 and 372:

Group I: Claim 112, drawn to a pharmaceutical composition comprising SAHA and a second anticancer agent;

Groups II - LXXV (Groups 2 - 85): Claim 51, each group drawn individually to treating one of the 84 recited cancers, e.g., Group II is drawn to treating CTCL, Group IV is drawn to treating HTLV, Group LXXXV is drawn to treating retinoblastoma;

Group LXXXVI (Group 86): Claim 109, drawn to an *in vitro* method of selectively inducing terminal differentiation of neoplastic cells.

According to the Office Action, the inventions listed as Groups I - LXXXVI (Groups 1 to 86) allegedly do not relate to a single general inventive concept under PCT Rule 13.1 because they allegedly lack the same or corresponding special technical features. The Office Action argues that the methods do not *per se* use the composition of Group I, as the method claims recite administration of 'a first amount' of SAHA and 'a second amount' of an anti-cancer agent. Further, as allegedly evidenced in Claims 33 and 34, different routes of administration are contemplated for the two therapeutics and not as a single composition. The Office Action further contends that unity of invention exists only when the shared or corresponding technical feature is a contribution over the prior art and cites WO02/085400 as evidence that SAHA has allegedly been taught to be useful in combination with a second anti-cancer agent in treating cancer.

Applicants hereby elect the method of claim 1 (and claims depending therefrom) and "non-small cell lung cancer" as the cancer type, **without traverse,** for further prosecution on the merits. In claim 51, Applicants have counted 85, not 84 members of the Markush recitation and respectfully request further clarification as to whether "non-small cell lung cancer" constitutes Group XLVIII (Group 48) or XLIX (Group 49). If the Examiner has grouped certain cancers together (resulting in 84 members and not 85 as Applicants have counted in Claim 51), Applicants respectfully request notification of which cancers were grouped together.

Species Election Requirement

The Office Action alleges that the application contains claims directed to more than one species of the generic invention and such species were deemed to lack unity of invention because they are allegedly not so linked as to form a single general inventive concept under PCT Rule 13.1. Claims 1, 2, 15-23, 33, 34, 50, 51, 106, and 112 were considered generic to the second anticancer agent, including the species of claims 15-20, 22, and 23.

Applicants hereby elect the second anticancer agent species of gemcitabine, **without traverse**.

CONCLUSION

Applicants respectfully request prompt examination in the application. If there are any questions regarding this Response, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

While Applicants believe no fees are due with the filing of this Response, the USPTO is authorized to charge or credit Deposit Account Number: **50-0311**, Customer Number: **35437**, Reference Number: **24852-502N01US**.

Respectfully submitted,

Dated: October 29, 2009

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